

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

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**RAFAEL A. OLIVERAS  
LÓPEZ DE VICTORIA  
Plaintiffs**

**Civil Case No. 15-02324 (JAF)**

**v.**

**NATIONAL REPUBLICAN PARTY;  
DONALD TRUMP  
Defendants**

**AMENDED COMPLAINT**

COMES NOW Plaintiffs, pro se, and most respectfully allege and pray before this Honorable Court as follows:

**I. GENERAL ALLEGATIONS**

1. Plaintiff, Rafael A. Oliveras Lopez de Victoria, is of legal age, resident of Caguas, Puerto Rico whose present address is: *Villa del Rey, 4G-9 Calle 2, Caguas, Puerto Rico 00727*.
2. Defendant, National Republican Party, is one of the main parties in the United States of America's political system, which was founded on the main civil rights tenants promoted and abetted by President Abraham Lincoln; this before, during and after the Civil War between the States. The 14<sup>th</sup> Amendment to the Constitution of the United States of America was created on said civil war era.
3. Puerto Rico, is a state by definition, and its citizens participate in the nomination of the President of the United States, for it has the right thru the New Progressive Party and the deficit Republican Party in Puerto Rico to physically sent at least ten (10) delegates to the Republican Convention to be held next year. Republican candidates are free to come to Puerto Rico to speak about their decision to run for the President of the United

States. Also, they may receive monetary political contributions on behalf of their campaigns.

4. Codefendant, Mr. Donald Trump is one of the aspiring candidates for the nomination for the office of the President of the United States. Presently, he is the leading candidate.
5. Prior to the forthcoming election for the year 2016, numerous Republican candidates for the office of the President of the United States have visited Puerto Rico and mingled with United States' citizens who residing and/or living in Puerto Rico have gave them not only political support, but also monetary contributions to the Republican Party. Prior, during and after the Republican Convention, which is the institution that nominates a candidate for President.
6. These candidates who have visited Puerto Rico are Ronald Reagan and George W. Bush, senior, both candidates become later on President of the United States. The later became first Vice-President; and in Puerto Rico one the main party activist was Rafael V. Capo Zayas, Esq. who died tragedy in a car accident in Washington, D.C. At the time he was deputy counsel for the office of Vice-President of the United States. For the Democratic Party, President Barack Obama and Senator Hillary Clinton have appeared in Puerto Rico to engage in the primary election process.
7. The National Republican Party is a public political institution fully protected under the United States Constitution and its amendment thereof, the Civil Rights Act of 1964 and other federal laws pertaining to nomination and election of duly qualified candidate for the office of the President of the United States.

8. Plaintiff, Rafael Oliveras Lopez de Victoria, is a male United States citizen of both Hispanic and Afro-American decent; and fully conscious of his political rights to help nominate thru the Republican Party a viable and qualified candidate for the office of the President of the United States.

## **II. JURISDICTIONAL STATEMENT**

9. Plaintiff most respectfully invokes the jurisdiction of this Honorable District Court under the United States Constitution, specifically the Equal Protection Clause, the Civil Rights Act of 1964 and any other civil rights voting laws, due to the continued civil rights violation whereby candidate, Mr. Donald Trump, have publicly discriminated and disgraced different sectors of the United States population, inclusive high ranking numbers of the United States Senate. Muslims living in the United States, Mexicans and Afro-Americans.
10. These acts of discrimination and public disgrace are here set forward within this document, and have been part of the present and/or current political history. Said comments, as set forth below, have been spoken and discriminated by candidate, Mr. Donald Trump in prejudice of the Plaintiff and other persons under the Protection of the United States Constitution and its laws, whom have been affected by said comments.

## **III. STATEMENT OF FACTS**

11. Commencing his campaign on or around May 2015, candidate Mr. Donald Trump have used his freedom of speech as a candidate to discriminate and/or publicly disgrace different minorities, within the United States, as follows:

- a. Derogatory comments against United States Senator, John McCain, a Vietnam hero, who was captured by the North Vietnamese and suffered humiliating torture of his person. These derogatory comments by candidate Donald Trump became a true violation of the civil rights of the U.S. Senator, McCain as a veteran, soldier, person and U.S. Congressman. This has affected not only the U.S. Veterans as a whole class, but also their respective families. Plaintiff's father was a veteran of the Pacific campaign in World War II; and his cousins, Sgt. Ramon Oliveras, Vietnam Veteran who was wounded in combat, Colonel Stanley Oliveras, Colonel Robert Oliveras, both Iraqi veterans, as well as Captain Angel Oliveras are part of the family military tradition. Mr. Donald Trump's comment against veterans could destroy the unique fabric of the 240-year tradition whereby the military and the civil officers of the United States have respected each other as officers of the United States. A President who discriminate and/or public disgraces the military component of this great nation could not become the Commander in Chief of the United States. He lacks moral and spiritual fortitude; and could become a hated person as a Commander in Chief and/or President.
- b. Candidate Donald Trump has publicly disgraced and discriminated against Hispanics by wholesale comparing them with murderers, rapist and gang members. These discriminating comments that are widely known throughout the United States have publicly disgraced person of Hispanic heritage who are protected group within the United States. Moreover, said comments could incite

a violent clash between said Hispanic group and the United States' general population.

- c. Also, candidate Trump have manage to publicly disgrace and/or discriminate women within the United States; first, by comparing them with pigs. Second, he has also indicated in a verbal clash with a consummate reporter in the first presidential television debate has derogatory and insidious comments against said female reporter in relation to her blood. Said comments are not protected within the meaning of free speech. Lastly, he denigrated presidential candidate, Mrs. Carly Fiorina, in relation to her face.
- d. The recent clash between Candidate Carson and Mr. Trump are not also racist, but highly inflammable in relation to Mr. Carson's religious beliefs. Mr. Carson is an Afro-American neurosurgeon, who was publicly disgraced and discriminated as a person who has been ill-treated by Mr. Trump in this comments at the National level.

#### **IV. REQUEST FOR DAMAGES AND/OR REMEDIES**

12. Due to Mr. Trump's discriminatory and public disgrace actions, Plaintiff most respectfully request immediate injunctive relief whereby Mr. Trump be prohibited to engage as a presidential candidate within the National Republican Party throughout the entire United States.

13. The requested prohibition includes, and its not limited to the following acts:

- a. Prohibit him from using discriminatory and public disgraceful actions and language within any debate sponsored by the Republican Party, which offends minority groups within the United States of America. These groups include

veterans and/or military personnel, Hispanics minority groups such as Mexicans, Cubans, Puerto Ricans and other Latin people living in America; women collectively and as individuals, and persons of certain religious belief as well as Afro-Americans living within the United States of America.

- b. Avoid the use and/or appearance of any National Republican Party's facilities to diffuse his hateful campaign, statements and actions, as previously stated.
  - c. Abstain in the use of any emblem, figure and/or pictures currently are part of the political symbol of the National Republican Party.
  - d. Prohibit candidate Trump from appearing in the events leading to the National Republican Convention and also the national convention itself.
  - e. Banish forever Mr. Trump from the respectable National Republican Party as candidate to seek the office of the President of the United States.
14. The National Republican Party has the moral and legal obligation to invite presidential candidate into the party who are not only competent individuals, but also presidential persons who have a high degree moral, ethical and legal solvency. Candidate Trump has use his campaign to publicly disgrace and discriminate minority groups within the National territory. His actions have been protested by these minority groups, who have stated said actions by candidate Trump are equal to bullying individuals; and have no place with the constitutional framework of our great nation.
15. These oral discriminatory and public disgrace actions also violate the human dignity of said minority persons; who have suffered prior to our Civil Rights Act, the 14<sup>th</sup> Amendment of the Constitution of the United States, as well as other federal and state laws within the United States and Puerto Rico. These minority groups are a class


protected by law against any discriminatory and public disgrace acts that affect our human dignity.

**V. PRAYER**

WHEREFORE, in light of the above, it is most respectfully requested that the present remedies claimed herein be granted as requested; and that attorney fees and costs be imposed on Defendant in this case.

**RESPECTFULLY SUBMITTED.**

In Caguas, Puerto Rico, at this February 23, 2016.

  
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